

REMARKS

Applicant has carefully studied the outstanding Official Action mailed on September 24, 2009. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 1 and 2 stand rejected under 35 USC §102(b) as being anticipated by Paltieli (US 6200279). Examiner states that “Paltieli et al. discloses a method for detection of complications during labor to monitor any critical conditions such as the frequency, duration, and strength of uterine contraction and measuring cervical dilation (col. 4 lines 46-64). The steps involve touching a position sensor (PS 1-5, fig. 5) to a point on a fetal presenting part of a fetus in a mother (col. 4 lines 18-23) and capturing a position of the position sensor and touching the position sensor to a set of points on the mother and capturing the position of the position sensor at each point (col. 4 lines 8-9) and detecting a complication.”

Applicant respectfully traverses this rejection. The quoted passage referred to (col. 4 lines 46-64) is: “The system illustrated in FIG. 5 may also be used for sensing contractions in the mother's uterus. Thus, during contractions, the fetal head moves slightly, and the dilatation also grows slightly; and after contractions, they both retract to their previous positions. By thus observing the dilatation and/or fetal head position as a function of time, the attending physician may discern the occurrence of contractions as well as the duration and strength of such contractions. In addition, by including a heart pulse sensor in the fetal head position sensor PS2, the physician may observe the relation of the fetal heart rate (FHR) in relation to the uterine contractions (UC), to show the relationship between the two as illustrated in FIG. 9. Computer 12 may be programmed to receive the above information from the various sensors and produce, in a monitor 45, a display corresponding to the fetal heart rate (FHR) in relation to the uterine contractions (UC), as illustrated in FIG. 9. Such information is particularly desirable if the presence of complications is established or anticipated.” This last sentence is the only mention of any kind of complication in Paltieli ‘279. Paltieli ‘279 is completely silent about detecting a pregnancy complication sign based upon a predefined criterion for the pregnancy complication. Nowhere does Paltieli ‘279 say anything about a criterion to be used as the basis for detection of the pregnancy complication.

Thus Paltieli ‘279 lacks an essential feature of claim 1 of the instant application and thus does not and cannot anticipate the instant invention.

Application No. 10/567,344

Claims 28-32 have been added, based fully upon the disclosure pages 20-22. Accordingly, claims 1, 2 and 28-32 are respectfully deemed allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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